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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,631	01/28/2004	Zhong Zhang	TIPO18X2

34846
TRANSFORM PHARMACEUTICALS, INC.
29 HARTWELL AVENUE
LEXINGTON, MA 02421



CONFIRMATION NO. 3752

FORMALITIES LETTER



OC000000013002382

Date Mailed: 06/21/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re the Application of:

Applicant : Zhong Zhang et al.

Appl. No. : 10/766,631

Filed : January 28, 2004

Title : AQUEOUS PHARMACEUTICAL
COMPOSITIONS OF 2,6-
DIISOPROPYLPHENOL
(PROPOFOL) AND THEIR USES

)
)
) Grp./A.U. : Unassigned
)
) Examiner : Unassigned
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Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313
Box: Missing Parts

**RESPONSE TO THE NOTICE OF INCOMPLETE NONPROVISIONAL
APPLICATION**

Sir:

In response to the Notice of Incomplete Nonprovisional Application dated June 21, 2004, Applicants respectfully requests that the filing date of January 28, 2004 be accorded to the above-referenced application as the drawings were filed with the original application. Enclosed please find a copy of the following:

1. A copy of the five (5) sheets of drawings that were submitted with the application on January 28, 2004;
2. Copy of the Transmittal letter listing the five (5) sheets of drawings; and
3. Certificate of mailing listing the five (5) sheets of drawings and the return postcard listing the five (5) sheets of drawings stamped as received by the PTO with a serial number and filing date.

Applicant respectfully requests that the filing date of January 28, 2004 be accorded to the above-referenced application as it has been shown the drawings were filed with the original application.

The Commissioner is hereby authorized to charge the required fee of \$130.00 to
Deposit Account No. 50-2626 (Order No. TPIP018X2).

Respectfully submitted,

Date: July 26, 2004 By: Paul Burgess
Paul Burgess
Reg. No. 53,852

Transform Pharmaceuticals, Inc.
29 Hartwell Avenue
Lexington, MA 02421
Telephone: (781) 674-7852
Facsimile: (781) 863-8914

Certificate of Mailing

Date of Deposit: July 27, 2004
I hereby certify that this correspondence is being deposited with the United States
Postal Service as first class mail, on the Date of Deposit shown above, postage
prepaid and in an envelope addressed to the Assistant Commissioner for Patents, PO
Box 1450, Alexandria, VA 22313-1450.

Jacquie M. Vito
Jacquie M. Vito